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8
9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA,) NO. CR 25-00053 WHO
13 Plaintiff,)
14 v.) AMENDED STIPULATION RE INTERIM
15 NOAH ROSKIN-FRAZEE,) DISBURSEMENT OF FUNDS IN CLERK'S
16 Defendant.) ACCOUNT AND [PROPOSED] ORDER
17)

18
19 The United States and defendant Noah Roskin-Frazee, by and through their respective counsel,
20 hereby stipulate and agree as follows:

- 21 1. Pursuant to the plea agreement in the above-captioned matter and in the related case, No. 23-
22 CR-00471 WHO, defendant Noah Roskin-Frazee agreed to deposit at least \$1 million in the
23 registry of the Court within 60 days of the entry of his guilty pleas and at least another
24 \$100,000 in the registry of the Court within 18 months of his guilty pleas. *See* Plea Agmt.
25 ¶ 9. This money was to be deposited for the benefit of the defendant's restitution obligations.
26 *Id.*
27 2. The defendant has since deposited over \$1,128,925.86 into the registry of the Court. *See*
28 ECF Nos. 13, 19.

- 1 3. The Court has not yet made a final determination of the total restitution owed by the
2 defendant, but the parties have agreed that it totals at least \$3,945,096.32. *See* Plea Agmt.
3 ¶ 9.
- 4 4. The defendant is enrolled in one of the Court’s alternative justice programs; if the defendant
5 successfully completes that program, the Court will likely not impose judgment for more
6 than a year.
- 7 5. In light of this extended delay in the proceedings, the parties determined that it is appropriate
8 for the Clerk to make an interim distribution of the funds in the Clerk’s registry to the victims
9 and have agreed that the defendant should receive credit in this amount towards any
10 restitution the Court eventually orders.
- 11 6. On October 17, 2024, prior to the guilty plea and sentencing in this case, the Court directed
12 the Clerk to accept payment for the defendant’s criminal monetary penalties and “maintain
13 such funds in the Clerk’s Registry, including interest earned thereon, pending any further
14 order of the Court.” ECF No. 27.
- 15 7. On June 18, 2025, the Parties stipulated and requested that that the Court enter an order
16 disbursing funds directing the Clerk to disburse the funds it maintains under the above-
17 captioned case. The Court entered that order on June 20, 2025.

18 WHEREFORE, to clarify that the funds released for disbursement include interest accrued on the
19 underlying principle, the parties respectfully request that the Court enter an order in the form proposed
20 directing the Clerk to disburse the funds it maintains under the above-captioned case, inclusive of
21 interest earned thereon, with three percent going to the victim identified in the Indictment as
22 COMPANY A and 97 percent going to the victim identified in the Indictment as COMPANY B. This is
23 without prejudice to the Court’s determination of whether or not to impose interest as part of any
24 eventual judgment.

25 IT IS SO STIPULATED this 18th day of July, 2025.

1 CRAIG H. MISSAKIAN
2 United States Attorney

3 /s/ Nikhil Bhagat

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NIKHIL BHAGAT
5 Assistant U.S. Attorney

CONRAD METLITZKY KANE LLP

/s/ Elizabeth Ann Kim

ELIZABETH ANN KIM
Counsel for Noah Roskin-Frazee

1 **[PROPOSED] ORDER**

2 Pursuant to the parties' stipulation, and for good cause shown,

3 IT IS HEREBY ORDERED that the Clerk of Court release all funds held in the Court Registry
4 under case number 3:25-CR-00053 WHO, including both principal and any accrued interest;

5 IT IS FURTHER ORDERED that the Clerk of Court disburse approximately **97 percent** of those
6 funds to the victim identified as COMPANY B in the Indictment in case number 3:23-CR-00471;

7 IT IS FURTHER ORDERED that the Clerk of Court disburse approximately **three percent** of
8 those funds to the victim identified as COMPANY A in the Indictment in case number 3:23-CR-00471.

9 PURSUANT TO STIPULATION, IT IS SO ORDERED.

10 DATED: _____

11 HON. WILLIAM H. ORRICK
12 Senior United States District Judge